

REMARKS

This amendment is responsive to the Office Action dated July 29, 2002.

Please charge any additional fees or credit any overpayment to our Deposit Account No. 19-1995. A duplicate copy of this letter is enclosed for that purpose.

Claims 1-8 are pending in the patent application. Claims 1-4, 6 and 8 are rejected under 35 USC 103(a) as being unpatentable over USPN 5,956,487 to Venkatraman et al. (hereinafter "Venkatraman") in view of USPN 6,148,346 to Hanson. Claims 5 and 7 are rejected under 35 USC 103(a) as being unpatentable over Venkatraman and Hanson as applied to claim 1 above, and further in view of USPN 5,938,726 to Reber et al. (hereinafter "Reber"). Rejection of the claims is respectfully traversed.

Claim 1 has been amended to further clarify generation of a device link file in an autonomous manner. This amendment does not add a limitation to Claim 1. Rather, the amendment moves the existing phrase "in an autonomous manner" next to the corresponding phrase "generating a device link file", to further clarify that the device link file is generated in an autonomous manner. A marked-up version of Claim 1 is enclosed herewith to show the amendments to Claim 1. No new matter has been added.

Claim Rejections under 35 USC §103(a)

Rejection of Claims 1-4, 6 and 8 under §103(a) as being unpatentable over Venkatraman" in view of Hanson is respectfully traversed because the claims include limitations not taught or suggested by the cited references alone, or in combination.

Venkatraman is directed to a system wherein Web access functionality is embedded in a device to enable accessible user interface functions for the device. A web server in the device provides access to the user interface functions for the device through a device web page. A network interface in the device enables access to the web page by a web browser such that a user

of the web browser accesses the user interface functions for the device through the web page.
(Abstract).

Hanson is directed to a data communication system for allowing communication between various devices and various operating systems across various types of networking systems. The data communication system includes an host computer system 10 with a display device 15 and a processor 17 for generating signals for the display device, at least one peripheral device 56, and a dynamic device driver 42 for allowing two-way communication between the peripheral device and the host computer system. The dynamic device driver includes an operating system specific portion 33, configured for the operating system of the host computer system, and an operating system independent device driver portion 34, configured for the peripheral device. The operating system includes a linking mechanism 19 for allowing two-way communication between the operating system specific portion and the operating system independent device driver portion, thus allowing two-way communication between the processor and the peripheral device. (Abstract).

As the Office Action correctly states, Venkatraman does not teach a device link file associated with connected home devices, as in Claim 1 of the present invention. The Office Action states that Hanson, Figure 5, column 5, lines 36-40, teach generating such a device link file. It is respectfully submitted that such is not the case because FIG. 5 of Hanson shows a GUI object list of available printers, not a device link file that identifies home devices currently connected to the network. Clearly, the claimed device link file here is different than the list in FIG. 5 of Hanson. This is because, in one embodiment, the device link file includes logical device names, wherein each logical device name is obtained by autonomously detecting that a device is connected to the network, and associating a logical device name with that device. By contrast, the GUI list in FIG. 5 of Hanson, is a list of features for printers, provided to help the user select which printer to use. The list of features include printer emulation, resolution, print speed, paper and envelope sizes, comments or additional printer features (column 5, lines 36-40).

The Office Action then states that Venkatraman, column 2, lines 36-42, teaches autonomously generating a device link file to determine the connected home devices. This interpretation of Venkatraman is respectfully traversed. Neither Venkatraman nor Hanson teaches or renders obvious all of the limitations of Applicants' claimed invention. Venkatraman does not provide a means that may autonomously (automatically) locate and access the devices. By contrast, Claim 1 includes the limitation of "generating a device link file in an autonomous manner, wherein the device link file identifies home devices that are currently connected to the home network". Claim 1 has been amended herein to further clarify this limitation as detailed above.

Indeed, Venkatraman teaches away from Applicants' claimed invention by requiring that, a user of one of the computer systems 90-92 enters a URL corresponding to the desired one of the devices 10 and 50-52 into the corresponding web browser application. In response, the particular web browser application as an HTTP client transfers an HTTP command that specifies the desired URL over the large organization network 80. The device specified by the HTTP command recognizes the URL contained therein. In response, the targeted device transfers and HTML file that defines its device web page via large organization network 80 (Col. 7, lines 36-46). Conversely, in one embodiment, Applicants' claimed limitation of generating said device link file in an autonomous manner is implemented by a session manager that determines the location and availability of the devices connected to the network in a dynamic fashion. Accordingly, even if the combination were legally justified, it would not teach all the limitations of Applicants' claimed invention because the method of receiving a URL from a home device is admittedly not taught by Venkatraman.

Furthermore, Hanson also fails to teach or suggest generating said device link file in an autonomous manner that involves determining the location and availability of the devices connected to the network in an autonomous manner. Indeed Hanson requires specific entry of the location thereof. In one example, as specified in col. 6, lines 15-20 of Hanson, administrative maintenance menu 74 includes a "set printer name or password" button 75 that provides for installation of a new printer on the network in an install new printer menu 75a, see FIG. 8B. In

the install new printer menu 75a, a user assigns a printer by entering the address that identifies the printer. Yet, in another example, specified in col. 7, lines 30-32, Hanson requires specific entry of the location thereof by the administrator, wherein the network administrator is prompted to insert URL codes that access the help files that are in HTML format.

The Office Action states that Venkatraman, Figures 2, 3, column 5 lines 29-40, 46-51, teaches creating a device link page including graphical or textual representations of corresponding devices. This interpretation of Venkatraman is respectfully traversed. As discussed, neither Hanson nor Venkatraman, alone or in combination, teach or suggest a device link file as Claimed by the present invention. Further, Venkatraman's Figures 2, 3, column 5 lines 29-40, 46-51, mention a browser 40 that accesses a user interface function of a device 10 at a URL provided by a user, displays such user interface information. There is no mention, whatsoever, of a device link file or a device link page as claimed, or the limitation of: "creating a device link page, wherein the device link page contains at least one graphical or textual representation of corresponding devices that are identified in the device link file" (Claim 1).

The Office Action states that, Venkatraman, Figures 3, column 5 lines 36-42, teaches the claimed limitation of associating a hypertext link with each device representation. This interpretation of Venkatraman is respectfully traversed. Venkatraman that a web server 14 in a device 10 generates a web page 18 that defines a set of user interface functions for the device 10. The web server 14 generates the web page 18 dynamically to reflect the updated state of the information pertaining to the device 10 that is maintained by a monitor 16. The web page 18 may also define control buttons according to the HTTP protocol that enable various control functions for the device 10 to be initiated from a web client via a communication path. (Col. 3, lines 16-18, 27-29, 33-40). Further, a browser 40 that accesses a user interface function of a device 10 at a URL provided by a user displays such web page (Figures 3, column 5 lines 29-42). Venkatraman's teaching of the web browser 40 accessing and displaying the web page 18 created by the web server 14 in a device 10, does not teach or suggest the claimed limitation of "associating a hyper-text link with each device representation" or the limitation of "the hyper-text link provides a link to a web page that is contained in the device that is associated with the

device representation” (Claim 1). Applicant respectfully requests that the Patent Office specifically point out where such limitations are taught or suggested in the references.

Further, each reference itself must suggest a modification or combination proposed in order for the modification or combination to be valid; “[the] invention cannot be found obvious unless there was some explicit teaching or suggestion in the art to motivate one of ordinary skill to combine elements so as to create the same invention.” *Winner International Royalty Corp. v. Wang*, No. 96-2107, 48 USPQ.2d 1139, 1140 (D.C.D.C. 1998) (emphasis added). “The prior art must provide one of ordinary skill in the art the motivation to make the proposed molecular modifications needed to arrive at the claimed compound.” *In re Jones*, 958 F.2d 347, 21 USPQ.2d 1941, 1944 (Fed. Cir. 1992) (emphasis added). There is no suggestion from either reference that they be combined or modified as proposed by the Office Action and, in fact, even the Office Action fails to provide the necessary impetus for the modification. In addition, as illustrated through more detailed examples below, the references teach away from Applicant’s claimed invention and do not provide any suggestion for their combination or modification.

Therefore, Applicants respectfully request withdrawal of the rejection of Claim 1, and dependent claims therefrom, because the combination and modification of the references is improper and does not disclose all the limitations of Applicants’ claimed invention.

As to Claim 2, Applicants respectfully assert that since Claim 2 incorporates the novel and unobvious limitations of Claim 1, it is therefore allowable for its dependency due to the reasons set forth above in relation to the rejection of Claim 1, as well as for its own novel sub-features. Despite the Office Actions’ assertion, as discussed in more detail above, Venkatraman does not teach or suggest a link page as claimed. As the Office Action also states, Venkatraman does not teach associating/retrieving a logical name stored in a device link file, as well as icons. Despite the Patent Office’s statement, neither Venkatraman nor Hanson, alone or in combination, teach or suggest that a device link file includes logical device names, wherein each logical device name is obtained by autonomously detecting that a device is connected to the network, and associating a logical device name with that device. By contrast, as discussed above, the GUI list

in FIG. 5 of Hanson relied upon by the Patent Office, is nothing more than a list of features for printers, provided to help the user select which printer to use. The list of features includes printer emulation, resolution, print speed, paper and envelope sizes, comments or additional printer features (column 5, lines 36-40).

Further, as set forth in greater detail above, the reference itself must suggest the modification or combination proposed in order for the modification or combination to be valid. There is no suggestion or motivation from either reference that they be combined or modified as proposed by the Office Action and, in fact, even the Office Action fails to provide the necessary impetus for the modification. In addition, as illustrated through more detailed examples below, the references teach away from Applicant's claimed invention and do not provide any suggestion for their combination or modification.

Therefore, Applicants respectfully request withdrawal of the rejection of Claim 2 because the combination and modification of the references is improper and does not disclose all the limitations of Applicants' claimed invention and because the rejection thereof does not comply with the requirements set forth in the MPEP.

As to Claims 3-4, the Patent Office has again repeated the same reasoning for rejection of Claim 2. Rejection of Claims 3-4 is respectfully traversed for at least the reasons hereinabove in support of Claim 2. As such, rejection of claims 3-4 should be withdrawn.

The Office Action rejected Claim 6 under §103(a) as being unpatentable over Venkatraman. Applicants incorporate herein the remarks above set forth as to the novelty and unobviousness of Claim 1. In addition, the Office Action acknowledges that Venkatraman fails to teach all of the limitations of Applicants' invention and the rejection of Claim 6 under section 103 is therefore improper. For a modification or combination of the prior art to be proper, the prior art itself must provide a suggestion thereof. Venkatraman fails to suggest any combination or modification thereof and in fact the Office Action fails to modify the same or provide a suggestion or motivation thereof.

Further, Venkatraman does not show all of the limitations of Applicants' claimed invention. In fact, Venkatraman teaches away from Applicants' claimed invention by requiring that "A user of one of the computer systems 90-92 enters a URL corresponding to the desired one of the devices 10 and 50-52 into the corresponding web browser application." (Venkatraman, Column 7, lines 36-38). Conversely, Applicants' claimed invention provides a session manager that determines the location and availability of the devices connected to the network in a dynamic fashion. Accordingly, even if the combination were legally justified, it would not teach all the limitations of Applicants' claimed invention because the method of receiving a URL from a home device is admittedly not taught by Venkatraman. A previous Office Action admits that Applicants' method of providing of a URL associated with the device provides increased information selectivity. However, the Office Action then attempts to improperly modify Venkatraman to achieve the advantages of Applicants' claimed invention. Applicants respectfully submit that the fact the modification produces admitted advantages militates in favor of the patentability of Applicants' claimed invention because it proves that the combination produces new and unexpected results and hence is unobvious. Therefore, Applicants respectfully request withdrawal of the rejection of Claim 6 because the modification of the reference is improper.

The rejection of Claims 5 and 7 under §103(a) as being unpatentable over Venkatraman and Hanson as applied to Claim 1, and further in view of Reber, is respectfully traversed. Applicants also respectfully traverse the rejection and the modification and combination of Venkatraman, Hanson and Reber. Applicants incorporate herein the remarks set forth above in response to the rejection of Claim 1 that clearly illustrates the novel and unobvious aspects of the claim over the references cited. As a result of the dependence of Claims 5 and 7 from Claim 1, Applicants respectfully assert that Claims 5 and 7 are in turn allowable.

Further, it is well settled that for a modification or combination of the prior art to be proper, the prior art itself must provide a suggestion for the asserted modification. Applicants respectfully traverse the proposed combination and modification. Reber teaches advertising on a

first web page by displaying a logo of a sponsor that is linked to the web page of the sponsor. Accordingly, because the user is already on the first web page, there would be no reason or motivation for Reber to provide a logo of the first web page that links to itself. In addition, because Venkatraman already accesses the web page of the device to download information therefrom, there would be no reason to provide a logo to do so. Furthermore, because Hanson teaches providing a control mechanism for a printer accessed through a URL, there would be not be a reason to provide a logo for an alternate printer. Therefore, because of the diverse functioning of the references, there would be no motivation for the combination thereof to provide a LOGO as claimed by Applicants.

The Office Action seems to recognize the advantages of the presently claimed invention by trying to make “hind-sight” modifications to the references to achieve the claimed invention. The Office Action acknowledges that Applicants’ LOGO provides increased device recognition and attempts to improperly combine divergent references to achieve the advantages of Applicants’ claimed invention. Applicants respectfully submit that the fact the modification produces advantages in increasing device recognition by using a LOGO militates in favor of the patentability of Applicants’ claimed invention because it proves that the combination produces new and unexpected results and hence is unobvious.

Therefore, Applicants respectfully request withdrawal of the rejection of Claims 5 and 7 because the combination and modification of the references is improper and does not disclose all of the claimed limitations thereof.

References Cited and Not Relied Upon

Applicants have reviewed the references cited and not relied upon and respectfully assert that the references neither teach nor render obvious Applicants’ claimed invention.

CONCLUSION

It is respectfully submitted that the case is now in condition for allowance, and an early notification of the same is requested. If it is believed that a telephone interview will help further the prosecution of this case, Applicants respectfully request that the undersigned attorney be contacted at the listed telephone number.

Respectfully submitted,

SHERMAN & SHERMAN

Kenneth L. Sherman (ME)

Kenneth L. Sherman
Registration No. 33,783
Sherman & Sherman
One Century Plaza
2029 Century Park East
Seventeenth Floor
Los Angeles, CA 90067
Telephone: (310) 789-3200

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on 10/24/02.

Evelyn Menjivar

(Type or print name of person mailing paper)

Evelyn Menjivar
(Signature of person mailing paper)

VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Twice Amended) A method for providing an interface for accessing home devices that are currently connected to a home network, the method comprising the steps of:

generating a device link file in an autonomous manner, wherein the device link file identifies home devices that are currently connected to the home network [in an autonomous manner];

creating a device link page, wherein the device link page contains at least one graphical or textual representation of corresponding devices that are identified in the device link file;

associating a hyper-text link with each device representation, wherein the hyper-text link provides a link to a web page that is contained in the device that is associated with the device representation; and

displaying the device link page on a browser based device.